

the 500-milliliter sample into two 250-milliliter aliquots and pour each aliquot onto separate 30.5 × 45.7 centimeters (12 × 18 inches) white grading trays. Remove defects and evaluate for color and size as defined in paragraph (b)(1)(ii) of this section.

(3) Determine compliance as specified in §156.3(d).

(4) If the quality of the tomato juice falls below the standard prescribed in paragraph (b)(1) and (3) of this section, the label shall bear the general statement of substandard quality specified in §130.14(a) of this chapter, in the manner and form therein specified, but in lieu of such general statement of substandard quality when the quality of the tomato juice falls below the standard in one or more respects, the label may bear the alternative statement, “Below Standard in Quality _____”, the blank to be filled in with the words specified after the corresponding paragraph (s) under paragraph (b)(1) of this section which such tomato juice fails to meet, as follows:

- (i) “Poor color”.
- (ii)(a) “Excessive pieces of peel”.
- (b) “Excessive blemishes”.
- (c) “Excessive seeds” or “excessive pieces of seed”.

(c) *Fill of container.* (1) The standard of fill of container for tomato juice, as determined by the general method for fill of container prescribed in §130.12(b) of this chapter, is not less than 90 percent of the total capacity, except when the food is frozen.

(2) Determine compliance as specified in §156.3(d).

(3) If the tomato juice falls below the standard of fill prescribed in paragraph (c)(1) and (2) of this section, the label shall bear the general statement of substandard fill specified in §130.14(b) of this chapter, in the manner and form therein prescribed.

[48 FR 3957, Jan. 28, 1983, as amended at 58 FR 2883, Jan. 6, 1993]

PART 158—FROZEN VEGETABLES

Subpart A—General Provisions

Sec.

158.3 Definitions.

Subpart B—Requirements for Specific Standardized Frozen Vegetables

158.170 Frozen peas.

AUTHORITY: 21 U.S.C. 321, 341, 343, 348, 371.

Subpart A—General Provisions

§ 158.3 Definitions.

For the purposes of this part the following definitions shall apply:

(a) *Lot.* A collection of primary containers or units of the same size, type and style manufactured or packed under similar conditions and handled as a single unit of trade.

(b) *Lot size.* The number of primary containers or units (pounds when in bulk) in the lot.

(c) *Sample size.* The total number of sample units drawn for examination from a lot.

(d) *Sample unit.* A container, a portion of the contents of a container, or a composite mixture of product from small containers that is sufficient for the examination or testing as a single unit.

(e) *Defective.* Any sample unit shall be regarded as defective when the sample unit does not meet the criteria set forth in the standards.

(f) *Acceptance number.* The maximum number of defective sample units permitted in the sample in order to consider the lot as meeting the specified requirements. The following acceptance numbers shall apply:

Lot size (primary container)	Size container	
	<i>n</i> ¹	<i>c</i> ²
NET WEIGHT EQUAL TO OR LESS THAN 1 KG (2.2 LB)		
4,800 or less	13	2
4,801 to 24,000	21	3
24,001 to 48,000	29	4
48,001 to 84,000	48	6
84,001 to 144,000	84	9
144,001 to 240,000	126	13
Over 240,000	200	19
NET WEIGHT GREATER THAN 1 KG (2.2 LB)		
Number of Pounds		
20,000 or less	13	2
More than 20,000 to 100,000	21	3
More than 100,000 to 200,000	29	4
More than 200,000 to 400,000	48	6
More than 400,000 to 600,000	84	9
More than 600,000 to 1,000,000	126	13
More than 1,000,000	200	19

¹ *n*=number of sample units.

² *c*=acceptance number.

(g) *Acceptable quality level (AQL)*. The maximum percent of defective sample units permitted in a lot that will be accepted approximately 95 percent of the time.

[42 FR 14461, Mar. 15, 1977]

Subpart B—Requirements for Specific Standardized Frozen Vegetables

§ 158.170 Frozen peas.

(a) *Identity*—(1) *Product definition*. Frozen peas is the food in “package” form as that term is defined in § 1.20 of this chapter, prepared from the succulent seed of the pea plant of the species *Pisum sativum* L. Any suitable variety of pea may be used. It is blanched, drained, and preserved by freezing in such a way that the range of temperature of maximum crystallization is passed quickly. The freezing process shall not be regarded as complete until the product temperature has reached -18°C (0°F) or lower at the thermal center, after thermal stabilization. Such food may contain one, or any combination of two or more, of the following safe and suitable optional ingredients:

- (i) Natural and artificial flavors.
- (ii) Condiments such as spices and mint leaves.
- (iii) Dry nutritive carbohydrate sweeteners.
- (iv) Salt.
- (v) Monosodium glutamate and other glutamic acid salts.

(2) *Size specifications*. If size graded, frozen peas shall contain not less than 80 percent by weight of peas of the size declared or of smaller sizes. The sample unit may not contain more than 20 percent by weight of peas of the next two larger sizes, of which not more than one quarter by weight of such peas may be of the larger of these two sizes, and may contain no peas larger than the next two larger sizes, if such there be. The following sizes and designations shall apply:

Size designation	Round hole sieve size through which peas will pass	
	Millimeters	Inch
Extra small	Up to 7.5	0.295
Very small	Up to 8.232
Small	Up to 8.7534

Size designation	Round hole sieve size through which peas will pass	
	Millimeters	Inch
Medium	Up to 10.240
Large	Over 10.240

(3) *Labeling*. The name of the product is “peas”. The term “early”, “June”, or “early June” shall precede or follow the name in the case of smooth-skin or substantially smooth-skin peas, such as Alaska-type peas. Where the peas are of sweet green wrinkled varieties, the name may include the designation “sweet”, “green”, “wrinkled”, or any combination thereof. The label shall contain the words “frozen” or “quick frozen”. The name of the food shall include a declaration of any flavoring that characterizes the product as specified in § 101.22 of this chapter and a declaration of any condiment such as spices and mint leaves that characterizes the product, e.g., “Spice added”. Where a statement of pea size is made, such statement shall indicate either the size designation as specified in paragraph (a)(2) of this section or the applicable sieve size. However, the optional descriptive words “petite” or “tiny” may be used in conjunction with the product name when an average of 80 percent or more of the peas will pass through a circular opening of a diameter of 8.75 mm (0.34 in) or less for sweet green wrinkled peas and 8.2 mm (0.32 in) for smooth-skin or substantially smooth-skin peas, such as Alaska-type peas.

(4) *Label declaration*. Each of the ingredients used in the food shall be declared on the label as required by the applicable sections of parts 101 and 130 of this chapter.

(b) *Quality*. (1) The standard of quality for frozen peas is as follows:

- (i) Not more than 4 percent by weight blond peas, i.e., yellow or white but edible peas;
- (ii) Not more than 10 percent by weight blemished peas, i.e., slightly stained or spotted peas;
- (iii) Not more than 2 percent by weight seriously blemished peas, i.e., peas that are hard, shrivelled, spotted, discolored or otherwise blemished to an extent that the appearance or eating quality is seriously affected.